

**BOROUGH OF WIND GAP  
29 MECHANIC STREET  
WIND GAP, PA 18091  
610-863-7288**

## **EXECUTIVE SESSION**

The Council met from 6:30 p.m. to 7:30 p.m. for Executive Session at Wind Gap Borough Hall.

The Council meeting of the Borough of Wind Gap on Tuesday, December 20, 2005, was called to order at 7:30 p.m. by Council President Kerry Gassler, at which time he reminded those present that the meeting was being recorded. In attendance were Council members: Winton S. Male, Jr., Mitchell D. Mogilski, Sr., George Hinton, Scott Parsons, and Tony Curcio. Also in attendance Mayor Kenneth George, Borough Solicitor, Ronold Karasek, Borough Engineer, Ronald Madison and Secretary/Treasurer Louise Firestone. Absent was Councilwoman Karen Skorochochod.

Council President Kerry Gassler informed those present that Council met to discuss the Manor Haven project, Schinstine lawsuit, the Police and Street contracts. Council will be making motions on these items later.

## **PUBLIC COMMENT**

No one appeared before Council at this time.

## **COMMITTEE REPORTS.**

1. EMS – Karen Skorochochod was absent.

2. Police – George Hinton reported that the contract was discussed during Executive Session.

**On motion** by George Hinton to accept the police officers' contract and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

3. Streets – George Hinton reported that the street workers had the leaf vacuum out over four weeks. On the last day, the machine broke. It is at MSG and preliminary indications are that it might require a new motor at a possible cost of \$7,000. The leaf vacuum was purchased with grant money over twelve years ago for a cost of \$10,000. Council will have to consider what to do with this piece of equipment next year. George thanked the Mayor and Carol George for informing the street department that Constitution Avenue flooded during the heavy rain last week with the leaves jamming up the drain.

**On motion** by George Hinton to accept the street workers' contract and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously. The contract is for

three years and the police is a four year contract

4. Finance – Mitchell D. Mogilski, Sr. had nothing to report. Louise reported that the Borough received an adjustment mortgage payment for the Wind Gap Ambulance building. The original mortgage was for a sixty-month term. In October, Merchants Bank adjusted the rate to 7.14%. Louise called the bank and was told the bank had made an error, not reflecting the commercial loan and tax exempt status of the Borough. The rate for the next five years will be 4.9%.

5. Administration – Winton Male reported that Jim Lockard hooked up the new ACT program. Winton explained that his initial idea of providing the Police, Fire and Ambulance with laptops could turn out to be an expensive prospect because they would all have to be hooked to the Internet and the monthly fee would be approximately \$50 each. This would be for the emergency management coordination. Winton asked Jim if he could create a hot spot. Winton asked Ron Madison if he could provide a map with all the elevations of the Borough. Jim would provide an estimate based on placing an antenna on the tower behind the police station and an antenna on top of the bank. Winton added that as previously offered he would be willing to do the initial setup of the system at no cost to the Borough. He stated that the letter sent out in the landlord mailing would only be counterproductive because it does not give an explanation of why the information is needed, and it does not provide information regarding special needs of the residents that emergency personnel would need to know should they respond to an emergency at that location. Mitch replied that he has already received the landlord letters back, but he has them at home. Winton asked Council if they are willing to allow him to proceed with the project or do they want to allow Mitch to handle it? Scott replied that he feels that Council should wait to decide with the new Council members. George added that he agrees that Council should wait until they are sure where this project is going, but he thanked Winton for his offer of free assistance to the Borough. Mitch stated that if Winton wants to help him, then he would more than appreciate it. Winton stated that it is not within your realm of authority. Mitch stated that January 1 because he stated that yes he will work on the emergency management plan, first thing is the accountability, the second is evacuation and the third is relocation and he intends to address it in that order. Winton said that it is responsibility of Council not the Mayor. Mitch said that Council makes the decision, but the Mayor enforces what they do. Kerry stated that Council would discuss this after getting more information. This item to be placed on the workshop agenda, January 17, 2006.

6. Zoning – Tony Curcio reported that the Zoning Hearing Board met on December 7, 2005 to hear the case of James McIntyre, case 7-2005. His attorney asked for a continuance because they are requesting an additional variance for a rear buffer of the property to be added to the case. The motion was carried and a continuance was approved.

The second case was Robert and Virginia Matlock, case 8-2005 for a variance regarding a fence. A variance was granted for a 6' fence and as of Saturday the permit has been issued. Upon completion of the fence, the Zoning Officer will be notified so that she can inspect the fence. Bob stated that the fence would be 102' long and then continue with a 16' of 3' picket fence.

The next Zoning Hearing Board is scheduled for Wednesday, January 4, 2006 at 7:30 for the continuance of Jim McIntyre's case.

7. Planning – Scott Parsons asked Ron Madison to explain what happened at the last meeting since he did not attend. Ron explained that the Planning Commission received a presentation by the McIntyre brothers for converting the Putt-o-Rama property into a car wash. They would try to maintain the existing driveway and the existing structures as their office. They are proposing a car wash that will include bays for self-serve wash and initially one bay to have an automatic wash similar to the Citgo's car wash. The plans also indicate a self-serve vacuum cleaning area. There was concern regarding circulation and improvements for the curb and sidewalk based on the condition of them and PennDOT access.

Ron added that he has seen a submission by Posh Properties regarding a planned subdivision on the former Cortazzo land behind the CVS. Hanover met with the engineer for Posh, but the plan appears to be an exact duplicate instead of addressing the most recent engineering letters. He anticipates several revisions on the initial submission.

8. Parks – Karen Skorochood was absent.

9. Fire Company – Mitchell D. Mogilski, Sr. reported the Fire Company met last night. The month of November there were eight alarms in November for a total of 182 to date. They have three new social members that are hopefully looking at becoming active members. The Fire Company discussed the recent problem with the alarm sounding on top of the bank and what the cost will be to have it fixed. Mitch stated that he felt it is the responsibility of the Borough to have that fixed. George explained that outside the bank the equipment in the basement cannot be moved to the outside of the bank because it is climate control. They can put a reset switch on the outside of the building, so that if the alarm does not reset itself it can be unlocked and reset.

**On motion** by Mitchell D. Mogilski, Sr. to move the balance remaining in the Fire Company's 2005 budget be moved from the general funds into capital reserve earmarked for repairs to the alarm system at the bank and seconded by Scott Parsons. Roll call vote taken. Motion carried unanimously.

They discussed other equipment that they will be getting in from a grant from the DCNR.

10. Sewer Authority – Paul Levits reported that the problem at the Turkey Hill is now in the hands of the insurance company. Wastewater supposedly came up through the drain in their floor. George and Scott were called to the Turkey Hill because the police officer on duty could not get a hold of Terry Miklas. Scott stated that within 45 minutes they were jet vacuuming to clear up the clog. Scott commended the Municipal Authority workers for their response and ability to take of the situation. Terry Miklas believes that the clog was an accumulation of grease. No other neighbors reported any problems.

11. Insurance – Winton Male had nothing to report.

12. 911 – Tony Curcio reported that the whistle is not working. Karen was supposed to send a fax to Mr. Weaver at the County 911. Tony will follow-up with Karen.

## Mayor's Report

Mayor George reported that the Contractor's license collected in November was \$75.00 for a total of \$1,875 and \$300 for amusement licenses for a grand total of \$2,175 collected in 2005. The police responded to 176 calls in the month of November, 7 motor vehicle accidents and 41 traffic citations issued. The Mayor directed the Chief to check into the vehicle parked next to Eric Koke's resident on Sixth Street. The vehicle is registered to a Todd Shoup of Leighton. The Chief sent a letter asking for Eric's assistance in determining the status of the vehicle. The Chief will continue to follow-up with this issue.

Mayor George expressed his gratitude to the members of Borough Council for their work in serving the Borough. He thanked the residents for their continued support.

## NEW BUSINESS

1. Enactment Ordinance 448 – 2006 Tax Rate.

**On motion** by George Hinton to approve Ordinance 448 setting the tax rate at 8.5 mills and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

2. Enactment Resolution 2005-6 – Weeast.

**On motion** by Mitchell D. Mogilski, Sr. to enact Resolution 2005-6 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

3. Request for Proposals – Engineering / Legal.

**On motion** by Scott Parsons to advertise for a Borough Solicitor and Borough Engineer and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

4. Approval Expenses

**On motion** by Scott Parsons to approve expenses incurred in the month of December 2005 in the amount of \$19,219.61 and seconded by Tony Curcio. Roll call vote taken. Motion carried unanimously.

5. Approval transfer funds into Capital Reserve.

**On motion** by Scott Parsons to transfer remaining funds into the reserve account pending any year-end adjustments and seconded by George Hinton. Roll call vote taken. Motion carried unanimously.

## OLD BUSINESS

1. Towns at the Gap.

**On motion** by George Hinton to grant Final Conditional approval of the Towns at the

Gap Major Subdivision Plan, dated last revised August 24, 2005, conditioned upon:

- Satisfaction of the outstanding engineering comments listed in the Hanover Engineering Associates, Inc. letter dated September 30, 2005, and
- That the Stormwater discharge piping be redesigned to not cross North Broadway, but rather follow southbound along North Broadway along the west curb line to discharge at the existing stream located just south of the Candle Factory parking lot

and seconded by Mitchell D. Mogilski, Sr. Roll call vote taken. Motion carried unanimously.

2. Tony Curcio stated that the Zoning Officer sent a letter dated November 19, 2005 to Mr. Ron DeCesare with a deadline of thirty days to sell or remove the shed from the property. The thirty calendar days are up as of today. Tony stated that since the structure is not removed, he is subject to the penalties as provided in the Borough's Zoning Ordinance, which is up to \$500 per day as long as the building exists there. He asked if Borough Council has to do anything at this point or does the Zoning Officer take it from here? Ron Karasek replied that it is the Zoning Officer's job to move it forward, but Council can certainly recommend by way of motion that the Zoning Officer move it forward.

**On motion** by Tony Curcio to send the Zoning Officer a letter to proceed with the necessary action and seconded by Winton Male. Roll call vote taken. Motion carried unanimously. The motion is a formality from Council to communicate to the Zoning Officer. Further discussion regarding the possibility that the present gentleman conducting business has lost his car sale license or is it just a storage lot for vehicles? Tony stated that the zoning issue has only to do with the building. Ron Karasek added that the property is properly zoned with the permissible use of a used car lot. Winton offered to inform the Zoning Officer in regard to the discussion held by Council regarding this issue. Winton to send a memo to take of this issue.

3. Kerry thanked Mrs. Snyder on behalf of Council for the letter that was received from her regarding the idea of town beautification. Council asked for time to review the information and have the new Council look at the information and this topic will be put on the January 17, 2006 Council workshop agenda.

4. Scott Parsons reported that the garbage cans at the Pet Zone do not belong to the Pet Zone. He knocked on the apartment door, but no one answered. Kerry offered to talk to the landlord. He added that since the Borough now owns the Roberti property, the sidewalk in front has to be cleared after it snows.

5. Scott Parsons thanked and commended Mayor Kenneth George for his time and effort in serving the Borough. He thanked Winton for his service. He thanked Mitch for his service as a Councilman and looks forward to working with him as the new Mayor.

George stated that he appreciates the efforts put in by the Mayor, Winton and Mitch for the decisions that they have had to make over the years for the good of the Borough. He thanked them for their years of service.

Tony thanked the Mayor, Mitch and Winton for their efforts and added that he enjoyed working with everyone on Council.

Kerry added that it will be fun working with Mitch as the next Mayor as he did when they

both served on the Street committee. He thanked Ken and Winton for the job that they did.

**On motion** by Tony Curcio to adjourn the meeting of December 20, 2005 and seconded by Scott Parsons. The meeting of December 20, 2005 adjourned at 8:24 p.m.

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Louise Firestone, Secretary / Treasurer